

CHARM FOR BENHAM.

After More Than Twenty Hours' Deliberation, the Jury Finds the Batavia Banker Guilty of Wife Murder.

"GUILTY," said the jury at Batavia, N. Y., yesterday afternoon, after twenty odd hours' deliberation.

"We find Howard C. Benham guilty of the murder of his wife, Florence."

These jurors are sober-minded men, who felt the responsibility of their solemn oath. Long they weighed the conflicting evidence before them. The balance fell: "Guilty."

It was a quarter past one o'clock yesterday afternoon when the jury re-entered the court room and told Justice Laughlin they had agreed upon a verdict.

The court room was jammed. With nervous, excited, palpitating spectators, who, knowing of one tragedy, felt themselves upon the threshold of another. There was no more room for any one in the court, but around its doors pressed the struggling, noisy throng, striving for entrance, as the jurors, with stern faces and white, sealed themselves in the box.

"Close those doors," said Justice Laughlin, severely. "Let the people be quiet."

The noise was stilled, Benham, this man who has long generations of good American blood in his veins, seated himself among his learned lawyers who have fought so ably for his life. Plainly, Benham was suffering from the tortures that the law is too merciful to order. Electroconvulsion is the lightning's flash. Benham was being racked on the slow moving wheels of his conscience.

Benham's Face Like Granite.

He looked at the jurors, he might as well have looked on faces of stone. His own face was one of granite, hard, white, cold, but of granite cut into an expression of unutterable horror.

His arose, the court was as still as the tomb to which his just jurors were about to condemn him.

"Have you agreed upon a verdict?" asked the Justice.

"We have, your Honor," answered the foreman, Grove Whitney.

"How say you? Do you find the prisoner guilty of the murder whereof he stands indicted? Or not guilty?"

Whitney, full of emotion, doing his duty, although his duty filled him with this emotion, scarcely whispered:

As from a Trumpet.

"Guilty."

In that still, tomb-like court it sounded as from a trumpet. Hearing the fateful word, the crowds of people in the room began to murmur. The Justice, angrily, if one can say a Justice is angry, tapped them "quiet" with his gavel.

Benham had leaned forward in his chair to catch the foreman's utterance. His jaws were clenched.

"Guilty," he chewed a cud of tobacco fiercely, but he did not seem to realize the dreadful import of the word.

"Poll the jury," Justice Laughlin ordered. One by one their names were called, and each of the twelve answered "Guilty."

While the death echo sounded in Benham's ears, some of the jurors were so touched because they had to sentence this fine young American to death that their voices trembled in their verdict. One juror, Robert Peck, shed tears. Benham then seemed "muted."

Bolt from a Clear Sky.

ten You wish the usual two days before sentencing is passed?" asked Justice Laughlin.

"If Mr. Mackey, one of Benham's lawyers, the 'Your Honor so please,' answered him. He, all his associates, the lawyer himself, had considered that every day out of the long drawn out consultation they expected acquittal, certainly from agreement. The verdict was a bolt from a clear sky of their hopes.

On Saturday morning for sentencing the defendant," said the Justice. Benham's face was bleached whiter than snow. His knees shook, he tottered, it seemed that he would fall. His lawyer propped him, and when he got into the courtroom, he revived him.

"Will you appeal?" his lawyers were asked.

"Most certainly," they answered unanimously. "We will carry the case to the highest court."

Consists in the courtroom said that the majority of the jury were for conviction almost from the first.

CHAPTER I.

How a Wife Was Won.

This is the tale of how Benham met his slender girl wife, and, securing her affection, and almost believing for a time that he loved her and not her money alone, married her. Moreover, it is a tale of estrangement, of a wife's affection scorned and slighted, of weariness, then hate, then a desire to supplant death.

In Byron, a hamlet near Batavia, lived the Benhams and the Touts. The place is a sleepy, quiet little town, of old-fashioned houses and simple ways; a place where none would think that tragedy and crime could ever enter.

Florence Tout was the posthumous child of a thrifty Englishman who well provided for the future of his daughter. She grew up a gentle, shy, affectionate creature, not pretty, yet with a certain clinging attractiveness. She was nearly sixteen when young Howard S. Benham began to notice her.

A Girl's Fancy Caught.

The son of a hop grower, in comfortable circumstances, young Benham was several years the senior of the girl. He was a coarse-grained, hard-drinking fellow. He dived in the possibilities of making a wife among the young people of the town with spending money that his father freely gave him, and who gloried, too, in being a favorite with the village girls.

And shy, almost homely little Florence, with the perversity of many another girl of goodness and purity, felt a thrill of growing affection for the reckless youth. He saw it, recognized it, for he was of a kind that knew well the sign of affection in a woman's eyes.

At that very time came reverses to the Benhams that swept away their fortune and drove both father and son to close straits for even a bare subsistence. Howard became a ticket speculator, hotel clerk, railroad clerk.

Florence eyed him shyly, with affection that she never dreamt that she showed. And one day the comprehension of something more than satisfied triumph over a woman's heart came to him. Florence in her own right was worth \$40,000. Why should he not marry her and secure the fortune? He spoke of the plan to his father, who earnestly seconded it, and the courtship promptly began. He was already a rake, although but twenty-three, but his place even saw benefit of this.

Mother Pleaded in Vain.

The sixteen-year-old child was supremely, ecstatically, happy. Her wealth of love and tenderness touched even through the silliness of Benham's heart. The girl's mother and friends pleaded with her, seeking to dissuade her from what they felt was a fatal step, but they were of no avail. The young man pushed his suit with a

TEN MORE IMMORTALS.

Edmond de Goncourt's Will Provides for a Rival for the Academie Francaise.

Paris, July 29.—The will of the late Edmond de Goncourt came before the Court of Probate to-day for construction. The court will give judgment on August 4.

After providing for the payment of a number of legacies, the will deals with the De Goncourt Academie, which, faithful to the promise he made to his brother, he creates with the bulk of his property.

The Academie is designed to aid young men of talent. Politicians, the nobility, poets and functionaries are to be excluded. Eight of the ten life members are designated in the will. They are MM. Alphonse Daudet, Huysmans, Mirabeau, Rosny, Sr., Rosny, Jr., Henriette P. Marguerite and G. Geoffroy.

The will provides also for an annual prize of 5,000 francs to be awarded by the academicians to the author who they consider has during the twelve months produced the best novel or work on history, aesthetics, erudition, or the best book of tales.

The testator expresses the hope that this will be called the Prix de Goncourt.

RIVER HER ONLY HOPE.

In Despair at Hearing Her Children Cry Vainly for Food, Lena Cheralstin Seeks Death.

Her husband had deserted her; she had no money to buy her children food, and rather than see them hungry, Lena Cheralstin preferred death.

About 12:30 p. m. yesterday the poor mother, nearly crazed with suffering and anxiety, and driven to desperation by her babies' cry for food, left her miserable home, at No. 227 Cherry street. Some of her neighbors saw her run toward Pike

EXTRA VESSELS FOR GOLD HUNTERS.

Hundreds Will Sail North in a Refitted Collier.

PASSENGER STEAMER TOO.

The City of Seattle Will Probably Be Chartered for One Trip.

GOING OVER THE PASS.

These Vessels Will Only Take Their Passengers to Juneau for the Mountain Route.

WILL TRY TO USE HORSES.

Two Hundred of Them Will Go Up on the Willamette in the Hope That They Can Be Used in Packing Supplies Into the Gold Fields.

San Francisco, July 29.—So great has the demand for transportation to the gold fields

dred second-class tickets have been sold at Puget Sound points, and there is a great demand for tickets on the part of those who are eager to reach the shores early. Captain Holmes will be in charge of the Willamette when she sails on Saturday, and a large throng is expected at the wharf. The Pacific Coast Steamship Company is also making arrangements to secure other boats to dispatch from Puget Sound. Among the vessels that may be engaged is the steamer City of Seattle, belonging to the Northern Pacific Railroad Company. She is a passenger boat and has ample accommodations for a large number of people.

CANADA EXACTS DUTY.

Customs Officers and Constables Going Up to Dyea to Assist the Mounted Police in Collecting It.

Victoria, B. C., July 29.—There is a crowd of idling gold seekers in town. Two hundred of them came from Seattle with their outfits to take the steamer Isadore for Dyea. Arriving here, they found that not a pound of goods would be allowed to enter the Klondyke district without paying the regular Canadian duty.

Some of them decided upon payment of the duty here, but others are going with the expectation of evading the customs officers. This is hardly possible, as the customs officers are going up on the Isadore, accompanied by a force of constables, who will assist the mounted police now there to enforce the laws.

MRS. SCHWATKA'S FEARS.

She Says the Alaska Mountain Passes Are Strewed with the Skeletons of Unfortunate Prospectors.

Benton Harbor, Mich., July 29.—The widow of Lieutenant Schwatka, the Arctic explorer, being interviewed here concerning the Klondyke gold regions, which country she has repeatedly visited with her

M'KINLEY TAKING A GOOD REST.

Pouring Rain Helps Him to Attain His Heart's Desire.

ONLY A FEW CALLERS.

President Will Review Troops at Fort Ethan Allen and Visit Isle Lamotte.

MRS. M'KINLEY IS PLEASED.

She Admires the Manner in Which Her Apartments Were Decorated.

PLANS DEPEND ON WEATHER.

Band Forbidden to Play "Hail to the Chief"—Vice-President Hobart to Join the Party Next Tuesday.

By Julius Chambers. Hotel Champlain, Bluff Point, N. Y.

July 29.—President McKinley has passed a quiet day since his arrival at 7 o'clock this morning. He has not been out of the hotel, owing to the inclement weather, and only Le Grand Cannon has called upon him.

Rain fell until 4 o'clock this afternoon, and plans for a carriage ride were abandoned. No definite ideas exist for to-morrow, everything being contingent upon the weather.

The special train carrying the Presidential party ran from Albany to Saratoga through the rain and darkness. On reaching the Spa the train was side-tracked and remained nearly three hours under the shed, after which it proceeded to Bluff Point. The pretty blue and red stone railroad station at this place was decorated early this morning when the Presidential train arrived.

Mr. J. W. Burdick, of the Delaware and Hudson Company, and O. D. Seavey, the hotel manager, welcomed the President and Mrs. McKinley and escorted them to a closed carriage. Rain was falling, and the drive through the extensive grounds of this property was made without any appreciation of its beauties. So dense was the surrounding mist that the nearby range of Adirondack hills was hidden and the Vermont shore could not be seen across the lake.

President and Mrs. McKinley were conducted to their apartments in the southern wing of the building. Their suites consisted of three rooms and bath. The bedroom was furnished and decorated in light blue.

"How thoughtful!" exclaimed Mrs. McKinley, as she looked about her while her maid was removing her hat and wraps. "This apartment is furnished in my favorite color. I am delighted."

The First Lady of the Land was in excellent spirits. Breakfast was served in the President's apartment. General and Mrs. Alger and the rest of the party taking their morning meal in the public hall.

President McKinley made his appearance in the corridor at 10:30, and without formally greeted everybody known to him. As he sauntered through the parlor the Twenty-first Regiment Band played a march composed for the occasion by its leader, entitled "Washington to Champlain."

"Hail to the Chief" is forbidden during the stay of the Chief Executive.

President is Pleased.

President McKinley said to your correspondent:

"I am glad we are here safely. It looks promising for real, quiet enjoyment. I never was much of a fisherman, but it appears to be a good place to catch something. I hope I haven't caught a cold, and don't think I have. I have no plans beyond going to Fort Ethan Allen, at Burlington.

Plans outlined fully in to-day's Journal are likely to be carried out.

Vice-President Hobart will leave New York on Tuesday morning next and join the President here that evening.

STRONG A CLUB FOR BOSS PLATT.

He Favors the Mayor's Renomination in Order to Beat Worth.

BOOM GROWS STEADILY.

Meantime the City's Executive Seems to Have Ceased Declining to Run.

A WALL OF SILENCE NOW.

All His Friends Willing to Join with Platt and Enter Him for the Race.

OFFICE-HOLDERS VERY EAGER.

Mr. Low Is Known to Have Told Mr. Strong That It Is His Duty to Run—Will He Yield?

FIRST, REFUSAL.

Under no circumstances will I become a candidate for Mayor of Greater New York.—Mayor Strong in a recent interview.

NOW, SILENCE.

I am determined not to answer any question whatever on the subject of the Mayoralty nomination.—Mayor Strong in an interview yesterday.

NEXT, CONSENT?

Mayor Strong was met by a Journal reporter on the 6 p. m. express train from

Richfield Springs last evening and asked if under any circumstances he would accept the Mayoralty nomination by the united Republicans should it be tendered him. He positively declined to consider the question in any form, and to this determination he firmly adhered.

From this it is seen that Mr. Strong has forsaken the valley of absolute refusal to enter the race, and has taken a stand on the mountain of silence. Whatever he may have said in the past or refrains from saying in the present, politicians, Republican and Reform, now regard him as an exceedingly probable candidate for renomination.

The officeholders of his administration are for him, but the fact that he has declared that he would not accept a nomination has placed his friends outside of the administration in an embarrassing position. Kind words are being said of Mayor Strong by the leaders of the Platt machine. Though Platt deems both the Mayor and Mr. Low political evils, he regards Mayor Strong as the lesser of the two. For the reason, as already pointed out in this newspaper, the Collis dinner given to a company of Platt and anti-Platt politicians is significant. The fact that County Chairman Quinn, who is Platt's representative in the local machine, had only the kindest criticism to make of Mayor Strong's administration, indicates that the "Uneasy Boss" may take up Mayor Strong as a candidate with whom to prevent the nomination of Seth Low.

Platt Men's Favor.

Mayor Strong's closest friends and advisers have by no means given up hope that he will be the compromise nominee, on a fusion ticket. The case of Mr. Strong is being looked at from many points of view. Platt and his out-and-out Citizens' Union Low men say that he must not be regarded as a candidate; that his statement made last night, that he would not accept a nomination, was a bluff.

Second, Mayor Strong's appointees regard him as the logical nominee. Third, the Platt men look at him as a compromise candidate, and for that reason are beginning to repudiate the harsh things they have said of him. Where before they found fault with his administration, now they are finding many things to admire. Platt believes that it is yet too early to make any statement directed against the Mayor, and that he will wait until the election, and none of the machine leaders is willing to declare for him in advance of a tip from the "Boss."

Who asked yesterday whether he believed that Mayor Strong was a candidate, William Brookfield, former Commissioner of Public Works, and leader of the anti-Platt faction, wrote the following reply: "If I were to advocate Mayor Strong for Mayor of Greater New York, I would regard him as the best man to place him in a false position before the community, because I do not believe he would accept a nomination."

Senator Frank B. Pavy, one of the Mayor's warmest supporters, said: "I do not believe that the Mayor is a candidate. I had said so, and would not have understood from what he said that he did not want a renomination."

John D. Clark, secretary of the Citizens' Union, said: "Mayor Strong has stated that he is not a candidate, and he has been taken at his word."

But suppose he should become a candidate, what would the Citizens' Union do? "We are wholly committed to Seth Low," was the reply.

Low Says It's His Duty.

Notwithstanding Mr. Low has progressed with great less success for two months, it is known that he has written a letter to Mayor Strong in which, among other things, he told the Mayor that he regarded him as the logical nominee, and believed that it was his duty to accept a nomination should it be tendered to him.

Mr. Low is known further to have declared to the Mayor that the reforms which he has accomplished during his administration and the improvements which have been made in the last three years fully warranted the conclusion that he should continue in the good work. On the day that this letter was received, early in June, Mayor Strong, not to be outdone in generosity, reiterated his declaration for Mr. Low.

Platt has virtually given up all hope that Cornelius N. Biles will accept a nomination. He is ready to induce Mr. Strong for first Mayor of Greater New York and become partners with Platt in so doing, should any hitch occur in the Citizens' Union campaign for Seth Low. It may be positively stated, also, that they are advocates of Mr. Low's nomination, more because Mayor Strong has informed him that because they believe the president of Columbia would make the better run of the two.



The Treasure Ship Portland About to Depart from Seattle for Klondyke.

"I'll have her for some future time," said he once, and thus, in an unguarded moment, did he lay bare the dark plot that he had already outlined in his mind.

"But you've got a wife," said the one with whom he spoke, who was startled by a threatening intonation in Benham's voice. Benham realized that he had made a mistake, but tried to pass it off with careless offensiveness.

This other woman in the case, Mary Ward, looms in the background as a portly figure. Perhaps, unconscious herself of how her influence over Benham was hurrying the tragedy to its awful end, she was none the less a prime even though to some extent unwitting, character in the drama.

Whether or not she cared for the man as he cared for her, whether she accepted his attention as a flattery whose intoxicated quality her nature could not resist, or whether she was but a shallow heartless woman who enjoyed to toy with a man's heart like a plaything, will never be known. But Benham loved her, and in the end, the thing else must give way. With Florence alive, he could not completely possess the other; and therefore it was that Florence had to die.

CHAPTER III.

How a Woman Was Killed.

The tragedy of the child-wife's life continued when she became a woman. Her child, a boy, grew up through bathhouse and began to toddle by her side and prattle in her ears. Her love and affection made her at times forget the coldness and cruelty of her husband. Yet the haunting shadow soon fell back across her life's pathway.

Had she defied him or quarreled with him he would not have loathed her as he did. The love and longing in the solemn eyes that dumbly pleaded for love's recognition maddened him, having no love to give in return. And then came the awful, sudden end.

Poor Mrs. Tout told at the trial with trembling lips of that last night of her daughter's life. She told of how, hearing the baby cry, she went to her daughter's room. At the door she met Benham, fully dressed, eyes to his hat. She returned to her own room and awoke, hearing voices.

"Howard, I don't see what you want me to take that for," the voice was pleading. Then it became clear and strong. "Oh, Howard, that medicine was too strong; it was too strong."

Then in a little while she was summoned to her daughter's side, and found her dying. Benham was walking excitedly about with a look that was half anxiety and half relief. In a short while the poor little wife was dead.

It was not the first time that Benham had tried to induce his wife to take medicine, against her will, but on the previous occasion she had resisted his desire. But at length his scheming was successful, and the woman who had yielded up to him her fortune had now yielded up to him her life.

CHAPTER IV.

How a Man Was Tried.

A closely contested murder trial is one of the most exciting of all possible scenes. There is tense expectancy in the very air. The audience is tensely quiet. The man whose life is the stake for which the gladiators are battling is usually calm, as if not realizing the full extent of what the verdict means.

There were many dramatic features in the trial, and though it all Benham sat cool, calm and debonair. At times he smiled. At times he spoke gayly to a friend. He could not believe that a verdict could be brought against him. He listened without agitation to the testimony that told of his wife's death, and the woman who had yielded up to him her fortune had now yielded up to him her life.

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street and turn down there in the direction of the river, but they paid no attention to her. Down at the dock a longshoreman who was working there noticed her queer actions. She seemed to be fleeing from somebody, he thought, so he spoke to Officer Boli, of the Madison street station, who was standing near. The policeman watched the woman for a few moments, then walked toward her. Just as he reached her she started, as though about to jump into the water. She fought fiercely to be allowed to kill herself.

At the station house she became calm and was taken from there to Essex Market Court, where she told a sad story of want.

Last Tuesday, she said, her husband deserted her and her three little children. She was penniless; they were starving. Their cries yesterday maddened her; her head felt as though it would burst. She ran out into the street to breathe, then to the water. It fascinated her; it looked so cool; she thought it would soothe her burning temples.

"I was not going to kill myself, Judge," she pleaded. The policeman thought differently, and Magistrate Bains agreed with him. He committed her to the care of the Commissioners of Charities, and she was sent to the insane pavilion at Bellevue Hospital, to be held for examination.

of Alaska became that the Pacific Coast Steamship Company has decided to send another steamer to the Far North. The company selected the Willamette, an immense steam barge for that purpose, and has chartered her from the Oregon Improvement Company. She is a collier and arrived from Seattle yesterday with a cargo of coal. It was immediately discharged at the Beale street bunkers. Preparations were then begun to reconstruct the vessel to accommodate passengers.

She was taken to Broadway wharf and a large force of men are at work night and day fitting her with bunks. The steamer "I sail for Juneau and Dyea on Saturday next at 4 o'clock. She will carry about four hundred passengers from here and a quantity of freight. At Puget Sound points about seven hundred and fifty passengers will be taken on, and also two hundred horses, intended for work on the trail and at the mines. At present there are only accommodations for sixty cabin passengers, but when the vessel is altered she will be able to carry about three hundred first-class passengers. Already five hun-

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